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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/981,735

10/19/2001

Shingo Uchihashi

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SUGHRUE MION, PLLC
401 Castro Street, Ste 220
Mountain View, CA 94041-2007

EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

06/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/981,735

Applicant(s)

UCHIHASHI ET AL.

Examiner

Melur Ramakrishnaiah

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10-19-01/9-11-03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 8-11, 15, 16, 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawahara (JP404301976) in view of and Inoue (JP08-181958) and Maeng (US PAT: 5,959,667)

Regarding claim 1, Kawahara discloses a computer assisted meeting capture system comprising: meeting capture controller (7, fig. 1), at least one camera (2, fig. 1) having plurality of angles, a sensor (4a-4g/5a-5g, fig. 1) to determine sensed activity information, a storage device (8, fig. 1) that stores object position information (for stores position of the microphone) and rule information (for example camera rotation angle to track a speaker, see abstract).

Kawahara differs from claim 1 in that he does not teach: plurality of cameras and meeting capture controller displays, for selection, at least one of a suggested camera selection and suggested camera angle selection based on the sensed activity information, the stored object information and stored rule information.

However, Maeng discloses voice activated camera preset selection system and method of operation which teaches plurality of cameras (19, fig. 1) to capture the images (col. 3, line 66 – col. 4, line 15); and Inoue discloses communication conference system, communication terminal equipment and camera operation device which

teaches: meeting capture controller displays, for selection, at least one of a suggested camera selection and suggested camera angle selection (Drawing 5) based on stored rule information (abstract; paragraphs: 0028; 0031-0035).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Kawahara's system to provide for the following: plurality of cameras as this arrangement would facilitate to capture images in a conference using plurality of cameras as taught by Maeng; and meeting capture controller displays, for selection, at least one of a suggested camera selection and suggested camera angle selection based on the sensed activity information, the stored object information and stored rule information as this arrangement would facilitate user control to effect desired image capture conditions as taught by Inoue.

Regarding claims 2-4, Kawahara further teaches the following: meeting capture controller (7, fig. 1) automatically selects at least one of suggested camera and camera angle for recording the sensed activity information, sensed activity information comprises at least one of sound information, movement information, and presence information, sound information is obtained from microphones (4a-4g, fig. 1, abstract).

Claim 8 is rejected on the same basis as claim 1.

Claims 9-11 are rejected on the same basis as claims 2-4.

Claims 15-16 are rejected on the same basis as claim 1.

Kawahara differs from claim 19 in that he does not specifically teach the following: an input device, wherein at least one of suggested camera selection and

suggested camera angle selection is manually selected by a user using the input device.

However, Inoue teaches the following: an input device, wherein at least one of suggested camera selection and suggested camera angle selection is manually selected by a user using the input device (abstract; paragraphs: 0028; 0031-0035; Drawing 5).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Kawahara's system for the following: an input device, wherein at least one of suggested camera selection and suggested camera angle selection is manually selected by a user using the input device as this arrangement would provide one of the methods, among many possible methods, to control camera to obtain desired video as taught by Inoue.

Claim 20 is rejected on the same basis as claim 19.

3. Claims 5-6, 12-13, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawahara in view of Inoue and Maeng as applied to claims 1, 18, 17 above, and further in view of Kikuchi et al. (JP363142779A, hereinafter Kikuchi).

Regarding claim 17, the combination discloses a method of computer assisted meeting capture comprising: providing at least one of camera a having plurality of angels and plurality of cameras, displaying for selection at least one of suggested camera selection and suggested camera angle selection based on determined sensed activity information, stored object position information and stored rule information as explained in rejection of claim 1.

The combination differs from claims 5-6, 12-13, 17 in that although it discloses use of microphone to detect the activity (see abstract of Kawahara), it does not teach the following: determining activity information from a sensor comprising sensing movement information from at least one of passive infra-red detectors, microwave detectors.

However, Kikuchi teaches the following: determining activity information from a sensor comprising sensing movement information from at least one of passive infra-red detectors, microwave detectors (see abstract).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: determining activity information from a sensor comprising sensing movement information from at least one of passive infra-red detectors, microwave detectors as this arrangement would provide one of the methods, among many possible methods, to control camera to obtain desired video as taught by Kikuchi.

4. Claims 7, 14, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawahara in view of Inoue and Maeng as applied to claims 1, 8, 18 above, and further in view of Kishimoto (JP410282564A).

Regarding claim 18, the combination discloses a computer assisted meeting capture system comprising: a meeting capture controller, at least one camera having a plurality of angles and a plurality of cameras, a sensor to determine sensed activity information, stored object position information, stored rule information wherein meeting capture controller displays, for selection, at least one of suggested camera and

suggested camera angle selection based on sensed activity information, stored object position information and stored rule information, wherein the sensor information comprises at least one of sound information, movement information and presence information as explained in rejection of claims 1-4.

The combination differs from claims 7, 14, 18 in that he does not teach the following: stored object location information is obtained automatically by at least one of a geo-positioning system signal and mobile locator service signal.

However, Kishimoto discloses camera for recording photographing position which teaches the following: stored object location information is obtained automatically by at least one of a geo-positioning system signal and mobile locator service signal (fig. 1, see abstract).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: stored object location information is obtained automatically by at least one of a geo-positioning system signal and mobile locator service signal as this arrangement would facilitate associating positional information with respect to stored object as taught by Kishimoto.

Response to Arguments

5. Applicant's arguments filed on 5-17-2007 have been fully considered but they are not persuasive.

Rejection of claims 1-4, 8-11, 15, 16, 19-20 under 35 U.S.C. 103(a) as being over Kawahara (JP404301976) in view of and Inoue (JP08-181958) and Maeng (US PAT: 5,959,667): regarding rejection of the claims and referring to Kawahara reference,

Art Unit: 2614

Applicant argues that “the examiner alleges that stored object information and stored rule information is disclosed in Kawahara. More specifically, the Examiner ... However, as it is clear from close reading of Kawahara, Kawahara uses the same camera rotating angle to identify both microphone position and speaker ... In the office Action, the Examiner attempts to read two separately claimed elements: (1) object position information and (2) rule information on a single stored angles of Kawahara”. Regarding this, Applicants claim language does not preclude this possibility as claim language recites only storage device that stores objection position information and rule information. Further as set forth in the office action, Inoue teaches user interface for controlling the camera based on rule information such as camera photography bearing position and zoom level of photography condition information (see for example paragraph: 0035 and abstract) and further Maeng teaches plurality of cameras (19, fig. 1) to capture images (col. 3, line 66 – col. 4, line 15). Therefore, one of ordinary skill in the art at the time invention was made would be motivated to modify Kawahara's system to provide for use interface to select camera angle selection based on sensed activity, stored object information, stored rule information in order to provide user control effect for desired image capture conditions.

Regarding rejection of the claims and referring to Inoue, Applicant further argues that In the office action, the Examiner fails to allege that image pickup conditions are displayed in the system of Inoue based on sensed activity information and stored object information, as recited in claims 1, 8, 15, 16, 17 and 18. Thus, in this respect, the Examiner's prima-facie case of obviousness has not been established. Specifically, the

image pickup conditions in the system of Inoue are input by the user (party), see abstract, and not are not based on sensed activity information and stored object position information. Moreover, the system of Inoue ... Inoue fails to teach or suggest at least one of suggested camera selection and suggested camera angle selection based on sensed activity information, the stored object position information and stored rule information". In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In view of this, Examiner submits that examiner has made prima-facie case of obviousness rejection of the above claims based on the combination of Kawahara, Inoue and Maeng

Regarding rejection of claim 17 under 35 U.S.C 103(a), Applicant argues that Applicants respectfully submit that claim 17 is patentable over Kawahara Inoue, Maeng and Kikuchi et al. at least for the reasons stated above with respect to patentability of claims 1, 8, 15, and 16. Specifically, Kikuchi et al. fails to remedy the above identified deficiencies of Kawahara Inoue, Maeng. Regarding this, as set forth above with respect to claims 1, 8, 15, 16, the combination of Kawahara Inoue, Maeng teaches applicant claim limitations which is alluded by the applicant with respect to claims 1, 8, 15, 16 and furthermore the combination Kawahara Inoue, Maeng and Kikuchi et al. teaches the limitations of claim 17 as set forth above in the office action.

Regarding rejection of claims 5-6, 12 and 13, Applicant's arguments are tied to independent claims 1 and 8 being patentable which are not as explained above.

Rejection of claims 7, 14 and 18 under 35 U.S.C 103(a) as being obvious over Kawahara in view of and Inoue and Maeng as applied to claims 1, 8, 18 above, and further in view of Kishimoto (JP410282564A): regarding rejection of claim 18, Applicant argues that "claim 18 is patentable over Kawahara in view of and Inoue and Maeng and Kishimoto at least for the same reasons stated above with respect to claims 1, 8, 15 and 16. Specifically Kishimoto fails to remedy the above-identified deficiencies of Kawahara, Inoue and Maeng". Regarding this, as set forth above with respect to claims 1, 8, 15, 16, the combination of Kawahara Inoue, Maeng teaches applicant claim limitations which is alluded by the applicant with respect to claim 1, 8, 15, 16 and furthermore the combination Kawahara Inoue, Maeng and Kishimoto teaches the limitations of claim 17 as set forth above in the office action.

Regarding rejection of claims 7 and 14, Applicant's arguments are tied to independent claims 1 and 8 being patentable which are not as explained above.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

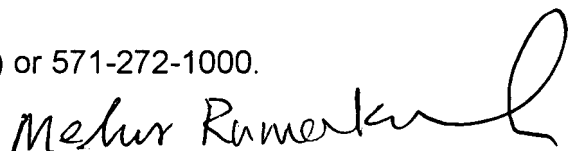
Art Unit: 2614

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Melur Ramakrishnaiah
Primary Examiner
Art Unit 2614